

WILLMAR CITY COUNCIL PROCEEDINGS
COUNCIL CHAMBERS
WILLMAR MUNICIPAL UTILITIES BUILDING
WILLMAR, MINNESOTA

March 17, 1999
7:00 p.m.

The regular meeting of the Willmar City Council was called to order by the Honorable Mayor Lester Heitke. Members present on a roll call were Mayor Heitke, Council Members Verna Kelly, Denis Anderson, Ron Christianson, Bruce DeBlieck, Douglas Reese, Nancy Houlahan, Jim Dokken, and Rick Fagerlie; Present 9, Absent 0.

Also present were City Administrator Michael Schmit, City Attorney Richard Ronning, Park and Leisure Services Director Dale Johnson, Public Safety Director Dan Strootman, Public Works Director Mel Odens, Finance Director Steven Okins, Planning and Development Services Director Bruce Peterson, and Administrative Assistant Audrey Peterson.

An addition to the Agenda included a general discussion of the Courthouse.

Council Member Christianson offered a motion adopting the Consent Agenda which included the following: City Council Minutes of March 3; Municipal Utilities Commission Minutes of March 8, Rice Hospital Board Minutes of March 10, Building Inspection Report for February, Pioneerland Library Board Minutes of January 21, Housing and Redevelopment Authority Minutes of February 9, Park and Leisure Services Board Minutes of March 2, and Aquatic Facility Committee Minutes of March 9, 1999. Council Member Fagerlie seconded the motion, which carried.

At 7:02 p.m. Mayor Heitke opened the hearing on an Ordinance Granting a Permanent Easement for Electrical Line Purposes. Planning and Development Services Director Peterson informed the Mayor and Council the Kandiyohi County Electric Power Association has requested an easement for electric utility line purposes. The City property affected by the easement is east of the 71/23 Bypass. It was noted the Municipal Utilities Commission and Planning Commission have approved the easement. There being no one present to speak for or against the proposed Ordinance, Mayor Heitke closed the hearing at 7:04 p.m.

Council Member Kelly offered a motion to adopt, assign a number, and order final publication of the Ordinance Granting a Permanent Easement for Electrical Line Purposes. Council Member DeBlieck seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

The Public Works/Safety Committee Report of March 9, 1999, was presented to the Mayor and Council by Council Member Reese. There were eight items for Council consideration.

Item No. 1 Lorry Massa, CEO of Rice Memorial Hospital, appeared before the Committee to present a proposal to close 3rd Street Southwest at Trott Avenue. The hospital is proposing to develop the area directly south of Trott Avenue into a 70' x 85' green space and additional parking spaces to the south. They are also in the process of acquiring additional property in the remainder of Block 64.

The Committee was recommending to the Council to accept the concept of the development and refer it to the Planning Commission for review and recommendation. Council Member Reese moved to approve the recommendation of the Public Works/Safety Committee with Council Member Kelly seconding the motion, which carried.

Item No. 2 The matter of a liquor ordinance pertaining to private service clubs was referred back to Committee from a previous City Council meeting to research language changes. Various members representing the area service clubs were in attendance at the Committee meeting. Staff reviewed the issues relating to the proposed changes in the ordinance to include service clubs not abiding by the rules of the license, primarily non-members of the club entering unescorted

and the clubs essentially running an open bar. Members discussed the definition of a "bona fide guest" and the impact it would have on private parties such as weddings renting the facility.

Staff then presented information pertaining to police calls to the V.F.W. in 1998 and since the first of the year. The Committee discussed the initiation of proceedings to consider license revocation and moved to recommend to the Council that staff initiate an investigation into the activity at the V.F.W. to consider if a hearing for liquor license revocation would be appropriate. Council Member Reese moved to approve the recommendation of the Public Works/Safety Committee with Council Member DeBlieck seconding the motion. City Administrator Schmit informed the Mayor and Council the City has received a letter from V.F.W. officials outlining steps to address and resolve the problems. Council Member Kelly moved to table the motion, allowing the V.F.W. time to implement changes. Council Member Christianson seconded the motion, which carried.

Item No. 3 The Committee reviewed correspondence from Community Christian School Administrator, Del Brouwer, requesting flashing lights along 19th Avenue Southwest. Mr. Brouwer was present and addressed the safety concerns contained in the letter. The Committee was recommending to the Council to refer the issue to staff to bring back recommendations to the Committee. Council Member Reese moved to approve the recommendation of the Public Works/Safety Committee with Council Member Kelly seconding the motion, which carried.

Item No. 4 The Committee discussed an amendment to the ordinance regulating noisy gatherings. The amendment was referred back to Committee from a previous City Council meeting. The Committee was recommending to the Council to introduce the ordinance for hearing on April 7, 1999. Council Member Reese moved to approve the recommendation of the Public Works/Safety Committee with Council Member DeBlieck seconding the motion, which was defeated on a roll call vote of Ayes 3, Noes 5 - Council Members Christianson, Anderson, Dokken, Fagerlie, and Kelly voted "No."

Item No. 5 The Committee considered an application for a parade permit, requesting closure of several streets in the CBD on May 22, 1999. Following review of the route, the Committee was recommending to the Council to approve the application. Council Member Reese moved to approve the recommendation of the Public Works/Safety Committee with Council Member Anderson seconding the motion, which carried.

Item No. 6 The Committee reviewed the bid tabulation for the mechanical rotary arm in the trickling filter at the Wastewater Treatment Plant. The Committee was recommending to the Council to award the bid in the amount of \$53,000 to ABE Construction and authorize the Mayor and City Administrator to enter into a contract on behalf of the City.

Resolution No. 1 was introduced by Council Member Reese, seconded by Council Member Kelly, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 1

BE IT RESOLVED by the City Council of the City of Willmar, a municipal corporation of the State of Minnesota, that the bid of ABE Construction Company of Willmar, Minnesota, for the Motor Activated Rotary Distributor of the Wastewater Treatment Plant is accepted, and be it further resolved that the Mayor and City Administrator be authorized to sign an agreement with the bidder for the terms and consideration of the contract in the amount of \$53,000.00.

Dated this 17th day of March, 1999.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 7 The Committee discussed the need for a change order for shims to be placed on the concrete supports prior to setting the grating in the trickling filter at the Wastewater Treatment Plant. Staff and the consulting engineer are researching the issue, and further information will be brought directly to the City Council.

City Administrator Schmit informed the Mayor and Council that a change order was not necessary at this time, but that staff would continue to monitor the project and report back to the Council at a later date.

Item No. 8 Council Member Dokken presented additional information regarding traffic patterns and safety concerns at Roosevelt School on 19th Avenue Southwest. Staff was directed to research the information. This matter was for information only.

The Public Works/Safety Committee Report of March 9, 1999, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Reese, seconded by Council Member DeBlieck, and carried.

The Labor Relations Committee Report of March 10, 1999, was presented to the Mayor and Council by Council Member Christianson. There were four items for Council consideration.

Item No. 1 The Committee considered a request to upgrade the position classification of Public Works, Working Foreman. The position has evolved over the last year on the heels of Department reorganization. The Working Foreman position classification now has additional administrative and supervisory responsibilities and is currently paid at a rate of \$16.87 per hour.

City Administrator Schmit informed the Mayor and Council that upon further review of the Personnel Policy and Pay Equity Program, he was recommending the Working Foreman position be paid an amount not to exceed \$19.30.

Following discussion, the Committee was recommending to the Council that the Public Works, Working Foreman position classification be upgraded from range 10 to range 11, and that the hourly rate be increased up to an amount not to exceed \$18.42 per hour. Council Member Christianson moved to approve the recommendation of the Labor Relations Committee with Council Member Reese seconding the motion, which carried.

Item No. 2 The Committee considered a proposal to authorize an early retirement program. The program, modeled after a similar City program in 1992, would authorize early retirement for employees with at least 20 years of service and 55 years of age. Employees would receive one year of City-paid individual health insurance for every 3 years of service through age 65 with the monthly contribution capped at \$250.00. The Committee discussed the merits of an early retirement program citing possible cost savings, potential for job elimination, and opportunities for Departmental reorganization and restructuring.

Following discussion, the Committee was recommending to the Council approval of an early retirement program under the terms and conditions proposed, setting a window for participation between May 1 through October 31, 1999. Council Member Christianson moved to approve the recommendation of the Labor Relations Committee with Council Member Reese seconding the motion, which carried.

Item No. 3 The Committee reviewed a history of Fire Department organizational issues following the changes in 1994 when it was decided the Fire Chief would be appointed rather than elected from the Fire Department membership. It was the intent of the Council at that time to also appoint the First and Second Assistant Fire Chiefs, that intent being reflected in existing Fire Department Bylaws and Standard Operating Procedures. Those changes were not incorporated into the new Ordinance at that time, and the Committee reviewed a

proposed Ordinance to recognize the current practice of appointing the Assistant Chiefs.

Council Member Christianson offered a motion to introduce an Ordinance Amending Municipal Code Section 6-59 Concerning Officers of the Willmar Fire Department and schedule a public hearing for April 7, 1999. Council Member Reese seconded the motion, which carried.

Item No. 4 The Committee discussed a concept to combine Community Education programs with the Park and Leisure Services Department noting that preliminary discussions had taken place at the administrative level. This concept was considered several years ago and an opportunity presents itself today to once again explore the feasibility of a joint powers agreement between the City and the School in an effort to enhance recreation and leisure services and perhaps save money. This matter has been discussed briefly at the most recent Park and Leisure Services Board meeting.

Following additional discussion by the Mayor and Council, Council Member Kelly moved to direct staff to proceed with discussion with School officials regarding the concept of combining Community Education with the Park and Leisure Services Department. Council Member Christianson seconded the motion, which carried.

The Labor Relations Committee Report of March 10, 1999, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Christianson, seconded by Council Member Reese, and carried.

City Administrator Schmit presented to the Mayor and Council for consideration a Resolution establishing procedures to receive reimbursement for improvement project expenditures paid by the City prior to the issuance of bonds. Resolution No. 2 was introduced by Council Member Reese, seconded by Council Member Kelly, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 2

RESOLUTION ESTABLISHING PROCEDURES RELATING TO COMPLIANCE WITH REIMBURSEMENT BOND REGULATIONS UNDER THE INTERNAL REVENUE CODE

(For Resolution in its Entirety, see City Council Minutes
File dated March 17, 1999, located in City Clerk's Office)

At this time Public Works Director Odens presented to the Mayor and City Council the 1998 Public Works Departmental Annual Report. Following a question and answer period, the report was ordered placed on file in the City Clerk's Office.

Announcements for Council Committee meeting dates were as follows: Finance, March 29; Public Works/Safety, March 30; and Community Development, April 1, 1999.

The Mayor and Council discussed the future of the Courthouse building. City Administrator Schmit was directed to correspond with County Commissioners requesting City Council and staff representation on the Task Force assigned to study the issue.

There being no further business to come before the Council, the meeting adjourned at 8:25 p.m. upon motion by Council Member Kelly, seconded by Council Member Fagerlie, and carried.

Attest:

MAYOR

SECRETARY TO THE COUNCIL